

MB Docket No. 07-42

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Illinois State Senate



Kwame Raoul
State Senator -13th District

Committees:
Pensions & Investments- Chair
Health & Human Services
Commerce & Economic
Development
Judicial Criminal Law

November 19, 2007

Mr. Kevin Martin, Chairman, Federal Communications Commission
445 12th Street SW, Room: 8-B201
Washington, DC 20554

Re: NFL Network and Other Independent Programmers

Dear Chairman Martin:

I am writing to urge the Federal Communication Commission (FCC) to take action to resolve the ongoing dispute between vertically integrated cable operators, like Comcast, and independent programming channels NFL Network and Big Ten Network. I have received a number of constituent letters and emails complaining about this stalemate. Many of those letters note that those cable systems require them to purchase other sports networks -- such as Versus and the Golf Channel -- that those constituents never watch; and that my constituents are troubled by cable companies' discrimination against NFL Network and against high-quality non-sports independent channels in favor of channels that the cable companies own.

To address these constituent concerns, I understand that legislation has been introduced in the Illinois General Assembly. House Bill 4169, the Fair Access and Independent Resolution Act (FAIR Act) creates a dispute resolution mechanism that will allow for a quick resolution through an independent arbitrator in the narrow instances where cable companies own channels that compete with independently owned channels. The arbitrator would select between the competing proposals for carriage. As a result, disputes will be quickly and fairly resolved. I have not yet taken a position on this bill, but I do believe that this dispute would be best resolved by the FCC.

I turn to you because I am concerned about media diversity and consumer choice and I understand that the FCC has opened a rulemaking proceeding (MB Docket 07-42) to consider program carriage issues such as these -- particularly as they relate to independent and diverse channels.

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NFL Network

I would urge the FCC to consider changing its rules in disputes like the one involving the NFL Network, so they can be resolved more quickly (preferably through negotiation between the parties) and with consumers' interests foremost in mind.

Thank you for reviewing these matters.

Sincerely,

A handwritten signature in black ink, appearing to be 'K. Raoul', written in a cursive style.

Kwame Raoul
State Senator
13th Legislative District

Cc: Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell

KW:lab